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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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12 United States of America,)

13 Plaintiff,)

No. CR 90-0233-PHX-RCB

14 vs.)

O R D E R

15 Daniel A. Morales,)

16 Defendant,)

17 and)

18 Chapman Scottsdale)

19 Autoplex, LLC,)

20 Garnishee.)

21 Presently before the court is "Defendant Morales' Notice of
22 Opposition to Clerk's Notice of Post Judgement Garnishment"
23 (Doc. 908). As the court construes this Notice, Mr. Morales is
24 seeking a hearing, for which the "Clerk's Notice of Post
25 Judgment Garnishment" ("Clerk's Notice") specifically provides.¹

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27 ¹ Although Mr. Morales did not request such a hearing within 20 days of
28 receipt as that Notice requires, the court is willing to overlook this delay. That
is because, depending upon whether the Clerk's Office mailing date is used, or that
of the United States, the delay was relatively slight - only six days or one day
late. Therefore, for now the court will overlook this delay, taking into account,
among other things, Mr. Morales' pro se status. Mr. Morales is forewarned,

1 See Not. (Doc. 901) at 2.

2 After carefully reviewing defendant's Notice, the "United
3 States' Response in Opposition to Defendant's Opposition to
4 Clerk's Notice of Garnishment (Doc. 910), and other related
5 filings, the court hereby ORDERS that a hearing shall be held
6 on this matter. Such hearing shall be held on Thursday, January
7 5, 2012, at 11:00 a.m., Courtroom 606, Sixth Floor, Sandra Day
8 O'Connor United States Courthouse, 401 W. Washington Street,
9 Phoenix, Arizona. Defendant Morales may appear either in
10 person or telephonically. The United States shall personally
11 appear through its counsel, however. Further, the garnishee,
12 Chapman Scottsdale Autoplex, LLC may appear either in person or
13 telephonically, but it is not required to appear at all.
14 Additionally, although not required to do so, if defendant
15 Morales files a Reply to the United States' Response, he shall
16 do so by no later than 5:00 p.m., Wednesday, January 4, 2012.

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18 DATED this 29th day of December, 2011.


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Robert C. Broomfield
Senior United States District Judge

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Copies to counsel of record, defendant Morales *pro se*, and
garnishee Chapman Scottsdale Autoplex, LLC

however, that the court may not be so lenient about untimely filings in the future.